

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

IN RE:

LOCAL RULES OF PRACTICE,
AMENDMENT TO GR 17.1

GENERAL ORDER NO. 11-00 ____

IT IS HEREBY ORDERED that General Rule 17.1 of the Local Rules of Practice for the District Court of Guam is amended as follows:

GR 17.1 Attorneys - Admission to the Bar of this Court - Duties.

(a) Admission to Practice. Admission to and continuing membership in the bar of this Court is limited to attorneys of good moral character who are active members in good standing of the Territorial Bar of Guam. ~~All members admitted to practice before this Court must file an "Attorney Registration Statement" in a form attached hereto as Attachment "GR 17.1A."~~

(b) Procedure for Admission. Each applicant for admission shall present to the clerk a written petition for admission stating the applicant's full name, residence address, office address, the names of the courts before which the applicant is admitted to practice, and the respective dates of admission to those courts.

1 **(1)** The petition shall be accompanied by:

2 **(A)** a certificate from the Supreme Court of Guam evidencing the fact
3 that the applicant is an active member in good standing of the Territorial Bar,

4 **(B)** a certificate of a member of the bar of this Court, stating that he
5 knows the applicant and can affirm that he is of good moral character, and

6 **(C)** an order for admission to be signed by the judge. (Copies of the
7 petition for admission and order of admission shall be supplied by the clerk upon
8 request.)

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10 **(2)** Upon qualification, the Clerk or his authorized deputy shall administer the
11 following oath of admission to the applicant:

12 "I solemnly swear that I will support the Constitution of the United States,
13 the Organic Act of Guam, the applicable statutes of the United States and
14 the laws of the territory of Guam; That I will maintain the respect due to
15 the Courts of Justice and Judicial Officers and that I will demean myself
16 uprightly as an attorney at law; And to abide by the Code of Professional
17 Responsibility of the American Bar Association."

18 **(3)** Before the clerk is authorized to issue a certificate of admission to the
19 applicant, the applicant must:

20 **(A)** sign the prescribed oath;

21 **(B)** sign the roll of attorneys; and

22 **(C)** ~~pay an attorney admission fee of \$250.00 made payable to Clerk,~~
23 ~~District Court of Guam.~~ pay an attorney admission fee fixed by the Judicial
24 Conference of the United States, together with an assessment in an amount to be
25 set by the Court. made payable to Clerk, District Court of Guam.
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1 **(4)** Any attorney so admitted and any attorney previously admitted who would
2 now be eligible for admission under subsection (a) of this Rule shall be deemed to be an
3 active member of the Bar of this Court.

4 **(c) Attorneys for the United States.** Any attorney who is not eligible for admission
5 under paragraph (b) hereof, but who is a member in good standing of, and eligible to practice
6 before, the bar of any United States Court or of the highest court of any State, or of any Territory
7 or Insular Possession of the United States and who is of good moral character, may practice in
8 this Court in any matter in which he is employed or retained by the United States or its agencies
9 and is representing the United States or any of its officers or agencies. Attorneys so permitted to
10 practice in this Court are subject to the jurisdiction of the Court with respect to their conduct to
11 the same extent as members of the bar of this Court.

12 **(d) Pro Hac Vice.** An attorney who is not eligible for admission under paragraph (b)
13 hereof, but who is a member in good standing of, and eligible to practice before, the bar of any
14 United States Court or of the highest court of any State or of any Territory or Insular Possession
15 of the United States, who is of good moral character, and who has been retained to appear in this
16 Court, may, upon written application and in the discretion of the Court, be permitted to appear
17 and participate in a particular case.

18 **(1)** Unless authorized by the Constitution of the United States or Acts of
19 Congress, an attorney is not eligible to practice pursuant to this paragraph (d) if any one
20 or more of the following apply to him:

21 **(A)** he resides in Guam,

22 **(B)** he is regularly employed in Guam, or

23 **(C)** he is regularly engaged in business, professional or other activities
24 in Guam.
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1 (2) The pro hac vice application shall be presented to the clerk and shall state
2 under penalty of perjury;

3 (A) the attorney's residence and office addresses,

4 (B) by what court he has been admitted to practice and the date of
5 admission,

6 (C) that he is in good standing and eligible to practice in said court,

7 (D) that he is not currently suspended or disbarred in any other court,
8 and
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10 (E) if he has concurrently or within the year preceding his current
11 application made any pro hac vice applications to this Court, the title and the
12 number of each matter wherein he made application, the date of application, and
13 whether or not his application was granted. He shall also designate in his
14 application an active member in good standing of the bar of this Court as required
15 by subsection (e) of this Rule, with whom the Court and opposing counsel may
16 readily communicate regarding the conduct of the case and upon whom papers
17 shall be served.

18 (3) The pro hac vice application shall also be accompanied by payment to the
19 clerk of a ~~\$250.00~~ fee **fixed by the Judicial Conference of the United States, together with**
20 **an assessment in an amount to be set by the Court. made payable to Clerk, District Court**
21 **of Guam., (payable to Clerk, District Court of Guam).** If the pro hac vice application is
22 denied, the Court may refund any or all of the fee or assessment paid by the attorney. If
23 the application is granted, the attorney is subject to the jurisdiction of the Court with
24 respect to his conduct to the same extent as a member of the bar of this Court.

25 (e) **Designation of Local Counsel.** An attorney applying to practice before this Court
26 under subsection (d) of this Rule, shall designate an attorney who is an active member in good
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standing of the Bar of this Court, who resides in and has an office in this District, as co-counsel. He shall file with such designation the address, telephone number, and written consent of such designee. The associated local attorney shall at all times meaningfully participate in the preparation and trial of the case with the authority and responsibility to act as attorney of record for all purposes. Any document required or authorized to be served on counsel by all Federal Rules or by these Rules, shall be served upon the associated local counsel. Service upon associated local counsel shall be deemed proper and effective service unless excused by the judge. Local counsel shall attend all proceedings related to the case before this Court for which counsel is associated unless excused by this court.

(f) Government of Guam attorneys. Any attorney employed as a full time employee of the Government of Guam or Guam Legal Services Corporation, who is not eligible under paragraph (b) hereof, may be temporarily admitted to practice in the District Court of Guam. Each applicant for temporary admission shall present to the clerk a written petition for temporary admission, stating the applicant's full name, residence address, office address, the names of the courts before which the applicant is admitted to practice, and the respective dates of admission to those courts.

(1) The petition for temporary admission shall be accompanied by:

(A) a certified copy of the applicant's order for temporary admission to practice law in the Territory of Guam;

(B) a certificate of a member of the bar of this Court, stating that he knows the applicant and can affirm that he is of good moral character, and

(C) an order for temporary admission to be signed by the judge.

(2) Upon qualification, the applicant must pay the Attorney Admission Fee fixed by the Judicial Conference of the United States, together with an assessment in an amount to be set by the Court. made payable to Clerk, District Court of

1 ~~Guam of \$250.00 (payable to the Clerk, District Court of Guam)~~ . ~~And~~ the clerk
2 or his authorized deputy shall ~~then~~ administer the oath of admission set forth in
3 paragraph (b)(2) hereof, and have the applicant sign the prescribed oath.
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5 (3) Government of Guam attorneys temporary admitted to practice in this
6 Court are subject to the jurisdiction of the Court with respect to their conduct to
7 the same extent as members of the bar of this Court. Upon termination of
8 employment with the Government of Guam or Guam Legal Services Corporation,
9 the attorney so temporarily admitted shall notify, in writing, the clerk of the
10 District Court of Guam of such termination. Once notified, the clerk shall strike
11 the temporarily admitted government attorney from the roll of attorneys. If the
12 temporarily admitted attorney meets the requirements for full admission while still
13 employed as an attorney for the Government of Guam or Guam Legal Services
14 Corporation, with no break in Government of Guam service, and complies with
15 all of the requirements set forth in subsection (b) herein, the ~~\$250.00 permanent~~
16 admission fee will be waived.
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18 The amendments herein are effective immediately.
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20 SO ORDERED this __ day of _____, 2011
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FRANCES M. TYDINGCO-GATEWOOD
26 Chief Judge
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